



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Billy J. Slinger - Temporary Duty Travel - Airline
Ticket Purchased from Travel Agent

File: B-228664

Date: March 2, 1988

DIGEST

An employee, who was an infrequent traveler and who was authorized official travel to Germany and return, purchased his airline ticket through a travel agent with personal funds at a cost less than government-procured airfare. In accordance with the provisions of Volume 2, Joint Travel Regulations, the employee may be reimbursed for the airline ticket where he was unaware of the prohibition on purchasing transportation with personal funds from travel agents.

DECISION

This decision is in response to a letter from Mr. Billy J. Slinger, requesting reconsideration of our Claims Group's settlement Z-2864110, dated June 30, 1987, which disallowed his claim for reimbursement for privately secured airfare in connection with official travel performed in May 1985. We hold he may be reimbursed for the following reasons.

BACKGROUND

Mr. Slinger, an employee of the MTMC Transportation Engineering Agency, Department of the Army, was authorized to perform temporary duty travel in Oberursel, Germany, for 7 days and to return to his permanent station in Newport News, Virginia.

While preparing for the trip, Mr. Slinger contacted the Scheduled Airline Ticket Office (SATO) serving his activity to arrange for airline accommodations. He was informed that the ticket price would be either \$739 or \$764, depending on his departure location. He then spoke to an employee of his agency's Budget Office to determine whether he could obtain airline tickets with his own money through a private travel agent and be reimbursed. He states that he was told that it could be done that way. Later he received another call from the same Budget Office employee who advised him that tickets which had a travel agent's name on them could not be turned

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in with his travel voucher. Mr. Slinger then asked if reimbursement could be made on a constructive cost basis. He asserts that he was told that it could if it would save the government money, but in no event could he be paid more than his actual costs, not to exceed what it would have cost the government had it procured his airfare tickets directly. Mr. Slinger then checked with a travel agent who quoted him a price of \$582 for the round trip. Based on that information, he purchased the ticket through the travel agent with his own funds on April 3, 1985.

Following completion of his trip and submission of the voucher, the matter was referred to our Claims Group for adjudication. They concluded that he was not entitled to be reimbursed under the exception set forth in paragraph 1-3.4b(2)(b) of the Federal Travel Regulations.^{1/} That regulation allows reimbursement to infrequent travelers if they had no previous knowledge that there was a prohibition against the use of travel agents. The Claims Group denied reimbursement on the basis that he had purchased transportation with his own funds through a travel agent once before and had been informed of the prohibition.

Mr. Slinger has appealed that ruling. He contends that he has never purchased an airline ticket for government travel from a travel agent with personal funds prior to this one time, nor was he aware that he was prohibited from doing so under penalty of nonreimbursement.

We have examined the record carefully and found nothing therein to demonstrate that Mr. Slinger had been reimbursed for an airline ticket purchased from a travel agent on a previous occasion or informed that if a travel agency was used again, he would not be reimbursed in the future. The only information of record was his statement regarding his conversation with his Budget Officer, and, although he admits that a travel agent-purchased ticket could not be directly reimbursed, he contends that approval was granted for reimbursement on a constructive cost basis. In view thereof, it is appropriate for this Office to examine the

^{1/} (Supp. 9, May 14, 1984), incorp. by ref., 41 C.F.R. § 101-7.003 (1985).

matter anew to determine what, if any, entitlements Mr. Slinger has in the circumstances.

RULING

Under the provisions of paragraph 1-10.2b of the Federal Travel Regulations and paragraph C4704 of Volume 2, Joint Travel Regulations (2 JTR), federal employees may not spend more than \$100 in cash for transportation services for travel on official business. We have held, however, that employees who can prove their cash expenditures in excess of \$100 through receipts or other documentation may be reimbursed. Joel L. Morrison, 63 Comp. Gen. 592 (1984). Since Mr. Slinger provided a receipted copy of the airline ticket, his use of more than \$100 of personal funds is not a bar to reimbursement. Richard E. Shane, B-225921, June 12, 1987.

Regarding use of a travel agent, paragraph C2207-4 of 2 JTR^{2/} provides that it is the policy of the Department of Defense that transportation for government travel will be purchased directly from the carrier. However, this regulation also states that if an employee is not aware of that policy and secures transportation with personal funds from a travel agent, he may be reimbursed the amount paid not to exceed the government's cost had it been secured directly. The paragraph goes on to state that in that event, the employee is to be advised that reoccurrence of use of travel agents will result in denial of reimbursement unless it can be shown the employee had no alternative.

Since the record before us indicates that Mr. Slinger had not used a travel agent on a prior occasion and that he was not specifically informed of the prohibition on the use of travel agents, he may be reimbursed for the cost of his travel, not to exceed the cost which would have been properly chargeable to the government if the transportation services had been purchased directly from the carrier.

We note that the general prohibition on the use of travel agents has been relaxed, and agencies may obtain transportation services through travel agencies under

^{2/} Change No. 216, Oct. 1, 1983.

contract to the U.S. Government. See 2 JTR para. C2207-1 (Change 238, Aug. 1, 1985); John W. Eastham, B-219489, Sept. 8, 1986; L. Fred Glenn, B-216921, Apr. 2, 1985. However, the limitation contained in 2 JTR para. C2207 remains with respect to travel agents not under contract to the U.S. Government.

A handwritten signature in black ink, appearing to read "Milton J. Jordan". The signature is written in a cursive style with a large, prominent initial "M".

Acting Comptroller General
of the United States